

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

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|-----------------------------------|---|--------------------------------|
| DAVID WILSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. CIV-13-117-RAW |
| |) | |
| STATE OF OKLAHOMA, et al., |) | |
| |) | |
| Defendants. |) | |

ORDER

Before the court are motions to dismiss of various defendants. Plaintiff is under a filing restriction imposed by the United States District Court for the Western District of Oklahoma. *See* Order dated November 29, 2012, CIV-12-1131-HE, attached as Exhibit 1 to docket #42 in this case. He evidently sought to file the present complaint in that court and was denied for failing to observe the restrictions imposed. He then filed the complaint in this court.* This court is empowered to take judicial notice of and enforce those restrictions. *See Srivastava v. City of Chicago*, 2011 WL 1375003 (N.D.Ill.2011)(“[I]t is readily apparent that Srivastava has filed her lawsuit here – despite the fact that nearly all the events she describes are centered in Indiana, where she lives – to evade the filing restrictions that have been imposed upon her in the federal courts in that state”).

Additionally, the court has reviewed the complaint. Much of it appears to be taken up with challenging the filing restrictions. This issue should have been raised by an appeal

*Plaintiff was granted leave to proceed *in forma pauperis* (#4) by Judge Payne, to whom the case was previously assigned.

to the Tenth Circuit, not the filing of another lawsuit in another district. To the extent allegations are made against named defendants, in a lawsuit involving multiple defendants, it is particularly important that plaintiffs make clear exactly who is alleged to have done what to whom. See *Pahls v. Thomas*, 718 F.3d 1210, 1225 (10th Cir.2013). The court finds plaintiff has failed to make these specific allegations. Accordingly, dismissal is also appropriate under Rule 12(b)(6) F.R.Cv.P.

It is the order of the court that the motions to dismiss (##38, 39, 42 and 43) are GRANTED. Plaintiff's motions for default judgment (##47 & 48) are DENIED, as the court has found the complaint fails to state a claim as to any defendant, and was filed in evasion of the Western District's order. This action is dismissed with prejudice.

ORDERED THIS 3rd DAY OF SEPTEMBER, 2013.

Dated this 3rd day of September, 2013.

A handwritten signature in cursive script, reading "Ronald A. White", written in black ink.

Ronald A. White
United States District Judge
Eastern District of Oklahoma